

U.S. Patent Application Serial No. 10/566,202
Amendment filed October 7, 2008
Reply to OA dated July 11, 2008

REMARKS

Claims 1-14 are pending in this application. Claim 8 is canceled without prejudice or disclaimer, and claims 1 and 13 are amended herein. Upon entry of this amendment, claims 1-7 and 9-14 will be pending. Entry of this amendment and reconsideration of the rejections are respectfully requested.

No new matter has been introduced by this Amendment. Support for the amendments to the claims is as follows. Claim 1 and claim 13 have each been amended to incorporate the limitation of claim 8. Claim 8 is accordingly canceled without prejudice or disclaimer. Applicant notes that claim 1, as amended, has the scope of original claim 8.

Claims 1-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over applicant's statement of the prior art. (Office action paragraph no. 1)

Reconsideration of the rejection is respectfully requested in view of the amendments to the claims. Claims 1 and 13 have each been amended to incorporate the limitations of claim 8.

Applicant notes that claim 1, as amended, has the scope of claim 8 before the present amendment. The rejection of original claim 8 (now present as claim 1) is therefore respectfully traversed in this response.

The Examiner refers to the paragraph at page 3, line 35, to page 4, line 11, which discusses JP 9-99651, JP 2001-39043, and JP6-210968, all of which are prior art references. The Examiner's implication is that the present claims recite a modification of the prior art of these references, and

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that this modification represents only an optimization of result-effective parameters. Applicant notes that the Examiner's statement of the rejection does not cite any specific disclosure of these three references.

In traversing the rejection, Applicant submits that none of the references JP 9-99651, JP 2001-39043, and JP6-210968, discloses or suggests use of two kinds of hollow particles differing in average particle diameter in the intermediate layer of a thermal transfer receiving sheet, a limitation required by the amended claims.

In addition, the advantages of use of such particles are described at page 20, lines 10 to 30, of the specification. In particular, their use prevents generation of spike mark, a dent, or the like, on the printed surface of the receiving sheet, and these advantages represent unexpected results over the prior art.

Claims 1-7 and 9-14, as amended, are therefore not obvious over Applicant's statement of the prior art and are not obvious over JP 9-99651, JP 2001-39043, and JP6-210968, taken separately or in combination.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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